

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI, EASTERN DIVISION**

UNITED STATES OF AMERICA)	
)	
Plaintiff,)	[PROPOSED] ORDER
)	GRANTING PRELIMINARY
v.)	INJUNCTION
)	
ORLANDO ASKINS, THE ASKINS DEVELOPMENT GROUP, LLC, and SHAW HOLDING GROUP LLC,)	Case No. 4:24-cv-729
)	
Defendants.)	
)	
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[PROPOSED] ORDER GRANTING MOTION FOR PRELIMINARY INJUNCTION

This matter comes before the Court on the United States’ Motion For a Preliminary Injunction Restraining Defendants From Unlawful Renovation Activities, Dkt. No. 2 (the “Motion”). Having fully considered the matter, the Court hereby **GRANTS** the Motion; and

IT IS HEREBY ORDERED that:

1. This Preliminary Injunction is binding upon a) Defendants Orlando Askins, The Askins Development Group, LLC, and Shaw Holding Group LLC (“Defendants”); b) the Defendants’ officers, agents, servants, employees, attorneys; and c) any other person who is in active concert or participation with anyone described in Paragraph 1.a or 1.b, including but not limited to: any entity previously incorporated, organized, or otherwise formed that is controlled by any Defendant and any entity that may be incorporated, organized, or otherwise formed during the pendency of this civil action that acts in concert or participates with anyone described in Paragraph 1.a or 1.b in the offer or claim to perform or the performance of renovations for compensation on residential housing constructed prior to 1978 that may result in the disturbance

of painted surfaces (hereinafter, “Other Defendant Entities,” and individually an “Other Defendant Entity”).

2. During the pendency of this civil action:
 - a. Defendants and Other Defendant Entities shall cease any ongoing, and not perform or offer to perform new, renovations on residential housing built prior to 1978 that may result in the disturbance of painted surfaces (each such housing a “Covered Work Site”) until such time as they:
 - i. Obtain firm certification from EPA pursuant to 40 C.F.R. § 745.89(a)(1);
 - ii. Assign a certified renovator pursuant to 40 C.F.R. § 745.89(d)(2) to any such renovation;
 - iii. Ensure that such certified renovator carries out the responsibilities set forth at 40 C.F.R. § 745.90(b); and
 - iv. Ensure that all renovations are performed in accordance with the lead-safe work practice standards in 40 C.F.R. § 745.85.
 - b. Not later than 10 days after entry of this Order, Defendants shall notify EPA in writing of any Covered Work Site for which any building permit had been obtained by any Defendant or by any Other Defendant Entity as of the date of this Order from the City of St. Louis, or any other jurisdiction within EPA Region 7 (the states of Missouri, Kansas, Iowa, and Nebraska).
 - c. Not later than 30 days prior to a Defendant or Other Defendant Entity obtaining a building permit from the City of St. Louis, or any other jurisdiction within EPA Region 7, for any Covered Work Site, or beginning to perform renovations of a Covered Work Site for which no building permit has been obtained, such

Defendant or Other Defendant Entity shall send EPA a written Notice of Renovation that includes the following:

- i. The address of the Covered Work Site, the areas to be renovated (e.g., apartment number(s), common area(s), exterior), and a description of the planned renovation work;
 - ii. Whether the Covered Work Site will be occupied during renovation activities;
 - iii. Whether children reside at or frequent the Covered Work Site when not under renovation, and the age of any such children;
 - iv. The year the Covered Work Site was constructed;
 - v. The full name, address, phone number, email address, and certification number of the firm(s) that will conduct the renovation;
 - vi. The name, address, phone number, and email address of the certified renovator assigned to project, including a copy of the renovator's certification;
 - vii. A statement that the renovator identified in subparagraph vi has complied or will comply with the requirements set forth at 40 C.F.R. § 745.90(b).
 - viii. The scheduled, planned, and/or anticipated dates of renovation work.
- d. Each Notice of Renovation pursuant to Paragraph 2.c shall include the following certification and be signed by a responsible corporate official of the Defendant or

Other Defendant Entity providing the Notice of Renovation:

I certify under penalty of perjury that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted.

Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I have no personal knowledge that the information submitted is other than true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

- e. Defendants and each Other Defendant Entity shall authorize, and shall instruct each of their employees, contractors, subcontractors, or persons otherwise conducting renovation activities on any Defendant's or Other Defendant Entity's behalf to allow, credentialed EPA inspectors to inspect any renovation undertaken or being undertaken by any Defendant or Other Defendant Entity, or for which any Defendant or Other Defendant Entity has obtained a building permit, upon the presentation of the inspectors' EPA credentials and a copy of this Order.
- f. Whenever notifications, submissions, or communications are required by this Order, they shall be made in writing and sent by mail or email, with a preference for email, addressed as follows:

Cassandra Mance, ECAD/AB
U.S. Environmental Protection Agency, Region 7
11201 Renner Boulevard
Lenexa, Kansas 66219
mance.cassandra@epa.gov

SO ORDERED.

Dated this ____ day of ____, 2024

[signature block]
U.S. DISTRICT JUDGE